



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/989,742

Filing Date: November 20, 2001

Applicant: Bengault et al

Group Art Unit: 2611

Examiner: Unknown

Title: METHOD AND APPARATUS FOR BI-DIRECTIONAL
DATA SERVICES AND LIVE TELEVISION
PROGRAMMING TO MOBILE PLATFORMS

Attorney Docket: 7784-000129/CPA

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION.

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. X Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number
09/639,912

U.S. Filing Date
August 16, 2000

C. ___ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ___ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ___ See the attached foreign patent office communication from a counterpart foreign application:
2. ___ English translations are provided for:
3. ___ Other:

C. ___ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.
09/639,912

Filing Date
August 16, 2000

Art Unit
2711

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. ___ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ___ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. X before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ___ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B: ___ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ___ See the certification below. No fee is required.

C. ___ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ___ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ___ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ___ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. X Some of the items of information were first cited in a communication from a foreign patent office (**copy attached**). As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

___ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ___ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ___ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

*Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: March 18, 2002

By: Mark D. Elchuk
Mark D. Elchuk
Reg. No. 33,575

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FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Sheet 1 of 2

ATTORNEY DOCKET NO.

SERIAL NO.

7784-000129/CPA

09/989,742

APPLICANT

Bengeult et al.

FILING DATE

GROUP

November 20, 2001

2611

U.S. PATENT DOCUMENTS

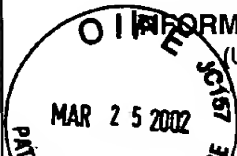
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,972,045	07/1976	Perret		
2.		4,392,139	07/1983	Aoyama et al.		
3.		4,743,906	05/1988	Fullerton		
4.		4,866,515	09/1989	Tagawa et al.		
5.		4,901,307	02/1990	Gilhousen et al.		
6.		4,958,381	09/1990	Toyoshima		
7.		5,127,021	06/1992	Schreiber		
8.		5,146,234	09/1992	Lalezari		
9.		5,230,076	07/1993	Wilkinson		
10.		5,249,303	09/1993	Goeken		
11.		5,285,470	02/1994	Schreiber		
12.		5,289,272	02/1994	Rabowsky et al.		
13.		5,311,302	05/1994	Berry et al.		
14.		5,313,457	05/1994	Hostetter et al.		
15.		5,463,656	10/1995	Polivka et al.		
16.		5,495,258	02/1996	Muhlhauser et al.		
17.		5,524,272	06/1996	Podowski et al.		
18.		5,555,466	09/1996	Scribner et al.		
19.		5,568,484	10/1996	Margis		
20.		5,583,735	12/1996	Pease et al.		
21.		5,760,819	06/1998	Sklar et al.		

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Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  </div> <div> Sheet 2 of 2 </div> </div>	ATTORNEY DOCKET NO.	SERIAL NO.
	7784-000129/CPA	09/989,742
	APPLICANT	
	Bengeult et al.	
	FILING DATE	GROUP
November 20, 2001	2611	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		5,790,175	08/1998	Sklar et al.		
23.		5,801,751	09/1998	Sklar et al.		
24.		6,018,659	01/2000	Ayyagari et al.		
25.		6,034,634	03/2000	Karrisson et al.		
26.		6,047,165	04/2000	Wright et al.		
27.		6,104,914	08/2000	Wright et al.		
28.		6,108,523	08/2000	Wright et al.		

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FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		EP0577054A1	01/05/1994	Europe		X	
2.		WO94/24773	10/27/1994	PCT		X	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Paper entitled "Boeing Satellite Television Airplane Receiving System (STARS) Performance" by Edward J. Vertatschitsch and George W. Fitzsimmons.

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.